

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** Chairman Bob Lake, on March 18, 2009 at 9:00 A.M.,  
in Room 152 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Bob Lake, Chairman (R)  
Rep. Jill Cohenour, Vice Chairman (D)  
Rep. Janna Taylor, Vice Chairman (R)  
Rep. Dick Barrett (D)  
Rep. Mark Blasdel (R)  
Rep. Edward B. Butcher (R)  
Rep. Wanda Grinde (D)  
Rep. Robin Hamilton (D)  
Rep. Brian Hoven (R)  
Rep. Mike Jopek (D)  
Rep. Dave McAlpin (D)  
Rep. Mike Miller (R)  
Rep. Art Noonan (D)  
Rep. Lee Randall (R)  
Rep. J. David Roundstone (D)  
Rep. Jon Sonju (R)  
Rep. Wayne Stahl (R)  
Rep. Chas Vincent (R)  
Rep. Brady Wiseman (D)

**Members Excused:** Rep. JP Pomnichowski (D)

**Members Absent:** None

**Staff Present:** Jeff Martin, Legislative Branch  
Jennifer O'Loughlin, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 642, 3/13/2009;  
HB 647, 3/13/2009

Executive Action: None

**HEARING ON HB 647**

**Opening Statement by Sponsor:**

00:01:57 Rep. Dick Barrett (D), HD 93, opened the hearing on  
HB 647, Provide tax withholding for nonresident sales  
of Montana real estate.

**Proponents' Testimony:**

00:09:35 Dan Bucks, Director, Department of Revenue (DOR)

[EXHIBIT \(tah60a01\)](#)

00:31:10 Don Judge, Self

00:35:22 Tom Bilodeau, Research Director, MEA-MFT

00:38:13 Tara Veazey, Montana Budget and Policy Center

00:39:49 Bob Decker, The Policy Institute

**Opponents' Testimony:**

00:41:43 Mary Whittinghill, Montana Taxpayers Association

00:45:29 Bruce Spencer, Montana Automobile Dealers Association

00:51:02 Rep. Wiseman

00:51:28 Mr. Spencer

00:52:24 Rep. Cohenour

00:52:54 Mr. Spencer

00:53:08 Rep. Cohenour

00:53:23 Mr. Spencer

00:53:54 William C. Gowen, Montana Land Title Association

[EXHIBIT \(tah60a02\)](#)

01:02:54 Holly Franz, Montana Society of CPAs

01:07:47 Joe Roberts, Montana Association of Realtors

[EXHIBIT \(tah60a03\)](#)

01:11:19 Chairman Lake

01:11:37 Rick Hill, Montana Building Industry Association

01:13:48 Webb Brown, Montana Chamber of Commerce

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:14:13 Rep. Cohenour  
01:15:10 C.A. Daw, Chief Legal Counsel, DOR  
01:19:43 Rep. Cohenour  
01:20:07 Mr. Daw  
01:21:24 Rep. Cohenour  
01:21:29 Chairman Lake  
01:21:37 Rep. Cohenour  
01:21:55 Mr. Gowen  
01:22:01 Rep. Cohenour  
01:22:33 Mr. Roberts  
01:22:38 Rep. Hoven  
01:22:58 Mr. Bucks  
01:23:44 Rep. Hoven  
01:23:55 Mr. Bucks  
01:24:20 Rep. Hoven  
01:24:29 Mr. Bucks  
01:25:33 Rep. Hoven  
01:26:22 Mr. Bucks  
01:26:56 Rep. Hoven  
01:27:10 Mr. Bucks  
01:27:17 Rep. Hoven  
01:27:32 Mr. Bucks  
01:28:00 Rep. Butcher  
01:30:04 Mr. Bucks  
01:31:46 Chairman Lake  
01:31:57 Rep. Butcher  
01:32:58 Mr. Bucks  
01:33:33 Rep. McAlpin  
01:33:47 Mr. Bucks  
01:34:06 Rep. Miller  
01:34:42 Mr. Gowen  
01:35:23 Rep. Miller  
01:35:38 Rep. Wiseman  
01:36:18 Gene Walborn, Bureau Chief, Business and Income Taxes  
Division, DOR  
01:36:30 Rep. Wiseman  
01:36:47 Mr. Walborn  
01:36:53 Rep. Wiseman  
01:36:57 Mr. Walborn  
01:37:02 Rep. Taylor  
01:37:21 Mr. Bucks  
01:39:42 Rep. Taylor  
01:40:07 Mr. Bucks  
01:40:53 Rep. Taylor  
01:41:07 Mr. Gowen  
01:41:44 Rep. Taylor  
01:41:58 Mr. Gowen  
01:42:43 Chairman Lake

01:43:10 Mr. Gowen

**Closing by Sponsor:**

01:43:25 Rep. Barrett

01:46:34 Chairman Lake closed the hearing.

**HEARING ON HB 642**

**Opening Statement by Sponsor:**

01:46:44 Rep. Julie French (D), HD 36, opened the hearing on  
HB 642, Certain centrally assessed pipelines are  
class 9 property.

**EXHIBIT**(tah60a04)

**Proponents' Testimony:**

01:51:28 Tom Bilodeau, MEA-MFT

01:53:24 C.A. Daw, Chief Legal Counsel, DOR

01:58:28 Dan Bucks, Director, DOR

02:03:55 Bob Vogel, Montana School Boards Association, Montana  
Rural Education Association

**EXHIBIT**(tah60a05)

02:06:30 William Duffield, Executive Director, Association of  
Montana Coal, Gas and Oil Producing Counties

02:08:01 Tara Veazey, Montana Budget and Policy Center

02:09:28 Dave Reinhart, Valley County Commissioner

02:10:09 Bob Decker, The Policy Institute

**Opponents' Testimony:**

02:13:03 John Alke, MDU Resources Family of Companies

**EXHIBIT**(tah60a06)

02:23:26 Don Hoffman, Montana Taxpayers Association

02:26:17 Dan Birmingham, Omnimex

02:28:58 Chairman Lake left the room.

02:32:41 Tom Ebzeny, Devon Energy Company

02:36:40 Patrick Montalban, Small Independents of Northern  
Montana

02:42:05 Cory Swanson, Encore

02:43:08 Dave Galt, Montana Petroleum Association

02:44:50 Jon Bennion, Montana Chamber of Commerce

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:45:22 Rep. Miller  
02:45:50 Rep. French  
02:46:05 Mr. Walborn  
02:46:39 Rep. Miller  
02:46:52 Mr. Walborn  
02:47:17 Rep. Noonan  
02:48:12 Rep. Sonju  
02:48:17 Rep. Noonan  
02:48:20 Vice Chairman Taylor  
02:48:57 Rep. Noonan  
02:49:00 Vice Chairman Taylor  
02:49:07 Rep. Noonan  
02:49:17 Mr. Bucks  
02:53:39 Rep. Butcher  
02:56:10 Mr. Bucks  
02:58:29 Rep. Butcher  
02:59:45 Mr. Birmingham  
03:00:57 Rep. Butcher  
03:01:47 Mr. Birmingham

**Closing by Sponsor:**

03:02:31 Rep. French  
03:03:57 Vice Chairman Taylor closed the hearing.  
03:04:08 Vice Chairman Taylor

**ADJOURNMENT**

03:04:21 Adjournment: 12:05 P.M.

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Jennifer O'Loughlin, Secretary

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Additional Documents:

**EXHIBIT ([tah60aad.pdf](#))**